

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Robert Ransom Smith, III

Docket No. 5:12-CR-279-1BO

Petition for Action on Supervised Release

COMES NOW Linwood E. King, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Robert Ransom Smith, III, who, upon an earlier plea of guilty to Conspiracy to Possess with Intent to Distribute and Distribution of Cocaine and Cocaine Base, was sentenced by the Honorable Cameron McGowan Currie, U.S. District Judge in the District of South Carolina, on November 23, 1999, to the custody of the Bureau of Prisons for a term of 140 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate in a program of testing and treatment for drug and alcohol abuse as directed by the probation officer until released from the program by the probation officer.

Robert Ransom Smith, III was released from custody on February 11, 2009, at which time the term of supervised release commenced.

On June 25, 2012, a Violation Report was filed in the District of South Carolina reporting the defendant's positive test result for the use of marijuana.

On July 10, 2012, jurisdiction in this case was transferred from the District of South Carolina.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On September 14, 2012, the defendant was charged with misdemeanor Possession of a Weapon on State Property (12CR8825) in New Hanover County, North Carolina. As reported by the defendant, Smith's truck was randomly searched during his entry into the state ports for a delivery pick up. Port Authority officials recovered a pocket knife and a switchblade knife from Smith's truck cabin and subsequently charged the defendant with the noted misdemeanor weapon's charge. This case remains pending.

To sanction his behavior, we recommend that Smith complete 24 hours of community service. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

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1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, the \$200 fee is waived.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Senior U.S. Probation Officer

/s/Linwood E. King
Linwood E. King
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8682
Executed On: November 21, 2012

ORDER OF COURT

Considered and ordered this 26 day of November, 2012, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge